



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Sr. No.212

TA-467-2025

Date of Decision: 19.11.2025

RAMANDEEP KAUR

....Applicant

Versus

HARPREET SINGH

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Anupam Singla, Advocate
for the applicant.

Mr. Vikas Mehsempuri, Advocate
for the respondent.

ARCHANA PURI, J. (Oral)

The applicant-wife has filed the present application for seeking transfer of the petition under Section 13 of the Hindu Marriage Act i.e. HMA/27/2025, titled '*Harpreet Singh v/s Ramandeep Kaur*', filed by the respondent-husband, pending in the Family Court, Malerkotla and she seeks transfer of the same to the Court of competent jurisdiction at Patiala.

Upon notice, the respondent made appearance through counsel and filed the reply.

Counsel for the parties heard.

At the very outset, it is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 14.01.2023 and one son born from the said wedlock, who is about 2 years old, is in the care and custody of the applicant. On account of the



matrimonial dispute, the parties are residing separate. The applicant is not having any source of earning and she has filed petition under Section 144 of Bharatiya Nagarik Surkasha Sanhita, which is pending in the courts at Patiala. Also, counsel submits that the parental house of the applicant is at Nabha. However, on account of depression suffered by her father, she is residing at Patiala, with her cousin brother. The distance between the two places is stated to be 35 kms.

On the other hand, counsel for the respondent, while making reference to the reply refutes the claim for transfer of the divorce petition. It is submitted that the applicant falsely asserts herself to be residing at Patiala, with a sole purpose to cause harassment to the respondent. In fact, she is residing at Nabha, at her parental place. Also, it is submitted that the petition under Section 144 of Bharatiya Nagarik Surkasha Sanhita, was filed after filing of the divorce petition.

In view of the aforesaid submissions, it is pertinent to mention that the courts generally lean towards the convenience of the wife, while adjudicating on the transfer application, relating to the matrimonial dispute, but the same is not a thumb rule. Various other circumstances, spelt out from the material brought on record, also ought to be taken into consideration.

In the case in hand, when questioned about the residence of the applicant, in view of the submissions made by the counsel for the respondent, counsel for the applicant submits that he has no objection, if the divorce petition is transferred to Nabha instead of Patiala.

Considering the reason, as mentioned in paragraph No.5 of the application, which does not appear to be sufficient reason and also watching



the interest of the minor child, who is in the care and custody of the applicant and above it, considering the submissions made by the counsel for the applicant, the transfer application is partly allowed and the petition under Section 13 of the Hindu Marriage Act i.e. HMA/27/2025, titled '*Harpreet Singh v/s Ramandeep Kaur*', filed by the respondent-husband, stands transferred from the Family Court, Malerkotla, to Family Court, Nabha, District Patiala. The requisite record of the aforesaid case be sent by the Family Court, Malerkotla, to the District and Sessions Judge, Patiala.

Learned District and Sessions Judge, Patiala, shall assign the said petition to the Family Court (Camp Court), Nabha. Even, the parties are directed to appear before the Family Court (Camp Court), Nabha, within a period of one month from today onwards.

19.11.2025
Sonu Saini

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No